

VZCZCXRO5100
RR RUEHAG RUEHROV
DE RUEHBM #0561/01 1931422
ZNY CCCCC ZZH
R 111422Z JUL 08 ZDK
FM AMEMBASSY BUCHAREST
TO RUEHC/SECSTATE WASHDC 8481
INFO RUCNMEM/EU MEMBER STATES
RUEHCH/AMEMBASSY CHISINAU 1341

C O N F I D E N T I A L SECTION 01 OF 03 BUCHAREST 000561

SIPDIS

STATE FOR EUR/CE AND EUR/UMB

E.O. 12958: DECL: 06/17/2018

TAGS: [MD](#) [PBTS](#) [PGOV](#) [PREL](#) [RO](#)

SUBJECT: ROMANIA AND MOLDOVA: WARY NEIGHBORS, HESITANT
PARTNERS TRY TO MAKE PROGRESS

REF: A. CHISINAU 556

[B](#). CHISINAU 123

[C](#). BUCHAREST 35

[D](#). BUCHAREST 480 (NOTAL)

[E](#). 07 BUCHAREST 314

Classified By: CDA, a.i. Mark Taplin; Reasons 1.4(b) and (d).

[1](#). (C) SUMMARY: GOR interlocutors, including President Basescu, have made clear that prospects for concluding a border regime treaty between Romania and Moldova prior to parliamentary elections and the selection of a new Moldovan president are very low, even if there have been some limited positive signs in recent months in this underperforming bilateral relationship. The July 7 visit of Romanian FM Comanescu to Chisinau left Romanian officials more optimistic about the prospects for making progress this year, including the renewed possibility that Romania could open new consular offices outside of the Moldovan capital. But while there is more dialogue between the sides than was the case a year, or even six months ago, Romanian diplomats agree that obstacles at the political level are unlikely to be overcome soon. On the plus side, the robust development of day-to-day, people-to-people cross-border ties will likely continue to outpace the still constipated political dialogue. End Summary.

[2](#). (C) During the past month, Embassy has reached out to various GOR officials to discuss the state of play on the continuing Romanian-Moldovan negotiations for a border regime treaty, as well as more generally on Romanian's complex relations with Moldova. Conversations with President Basescu (Reftel D) and his chief Foreign Policy Advisor Anca Iliniou have left no doubt that there is little appetite for concluding agreements as long as Voronin is in office and his Communist party is vying for the affections of the Moldovan electorate. While there may be greater readiness elsewhere in the GOR to reach accords with Chisinau, Basescu is effectively in the driver's seat. The President's skepticism has by and large been translated downwards to a Romanian approach that is focused on the long-term picture after Voronin, while promoting wherever possible stronger economic, commercial and people-to-people ties between the two countries, as well as positive prospects for Moldova's eventual accession to the EU.

[3](#). (C) During a June 11 meeting with Charge and Poloff, MFA Director General for Judicial Affairs Cosmin Dinescu briefed on the status of Romania's negotiations with the Republic of Moldova on three potential agreements currently under discussion: a border regime treaty, a basic political treaty, and the Romanian initiated talks over a Local Border Traffic Convention under the framework of the EU Neighborhood Policy. In all three instances, Dinescu said that while there had been progress, obstacles remained, a situation he attributed to "inflexibility" on the Moldovan side and the limited authorities of Moldova's negotiators.

¶4. (C) On the border regime treaty, Dinescu went to some length describing the "de facto" and "de jure" recognition of the border between Romania and the Republic of Moldova, arguing that the border exists "independent of successor state status and subsequent treaties under international custom." If a country has a border with one state, a change in the status of the neighboring country does not necessarily precipitate a renegotiation of the border, he explained. This is the reasoning behind the Romanian view that the discussion is not about establishing a border, which Romania already recognizes as fully established, but rather updating the technical regime by which the border is managed and administered, Dinescu underscored. As an example, he said, Romania sought a border regime agreement as a means for posting and maintaining border signs, managing environmental and course changes in the Prut River, and cost-sharing, "but not establishing borders."

¶5. (C) Dinescu pointed out that the original text for the draft border regime treaty in 2005 was submitted by Romania, and was consistent with similar negotiations undertaken with Ukraine. He described the initial round of negotiations with the Republic of Moldova as having moved quickly towards conclusion. However, Chisinau then unexpectedly introduced the argument that the two sides needed to conclude a full "border treaty" versus a border regime treaty, and insisted on making reference to the 1947 Paris Treaty -- which was an unacceptable formulation politically for Romania since it raised the spectre of the Molotov-Ribbentrop Pact on which the Paris agreement was based. He underscored that Romania's solution -- a reference to the 1961 "Treaty between the USSR

BUCHAREST 00000561 002 OF 003

and Romania on the Regimen of the Soviet-Romanian State Frontier" -- avoided the direct linkage to 1947, and made the point that the state borders were already defined.

¶6. (C) Chisinau's insistence on a border treaty created both legal and political problems in the negotiations, Dinescu observed. The argument made by Moldovan officials that their government had successfully negotiated a border treaty with their Ukrainian neighbor was a false analogy. The Republic of Moldova and Ukraine had pursued a full border treaty since as former constituent entities of the Soviet Union they only shared administrative boundaries (i.e., no state border), and because they had the additional complication of an actual territorial exchange. It was risky, he suggested, for Chisinau to argue that there was no border between Romania and Moldova until a treaty was signed. Dinescu said that both Romania and Moldova would have difficulties with their respective parliaments and publics if they seized upon the notion that there was not a defined border. If Chisinau were only to accept the Romanian view that the border was already fully established, it would also help the Moldovan authorities in reassuring Tiraspol that Romania has no territorial claims on the Republic of Moldova, Dinescu emphasized.

¶7. (C) Likewise, the MFA's Director for Cooperation with the Republic of Moldova (and husband of the MFA State Secretary for Europe), Constantin Matache, blamed Chisinau for the failure to bring the border regime treaty negotiations to closure. Matache gave the example of the May 14-15 discussions (ref a), where some of Romania's counterproposals were reportedly not even presented to senior officials in Chisinau because the Moldovan negotiators said they conflicted with their current instructions. On the other hand, Matache noted that he and his Moldovan counterparts had been able to work out a relatively positive joint statement for the May 28 working visit to Bucharest by Moldovan Vice Foreign Minister Valeriu Ostalep.

¶8. (C) Matache pointed out that the desultory official exchanges between Bucharest and Chisinau were actually out of step with the growing cross-border interactions between the

two countries. Matache said he was surprised at the level of these unofficial interactions, and described the relationship below the political threshold as "healthy and getting stronger." He added that every week there was always some new link that he was just discovering, mainly--but not exclusively--in the commercial and trade dimensions. While acknowledging that political statements on both sides of the border often gave leverage to those who would oppose a Romanian-Moldovan accommodation, Matache pointed to that fact that various parochial interests, both within the ruling Moldovan Communist Party and in Moscow and Tiraspol, made concluding formal agreements very difficult.

¶9. (C) Matache noted that although the border agreement language was held up by only three minor points (ref. B), they were difficult to overcome because they were rooted in the difference between Soviet and Romanian historical views. He also noted that inclusion of any references in the text to what were basically Soviet ultimata imposed on Romania, or other veiled references to the Molotov-Ribbentrop Pact, would be "political suicide" for any Romanian politician to endorse; seeking Parliamentary ratification of an agreement that "basically enshrines a national humiliation" was a non-starter. Matache noted that Romania wants any agreement to look forward, not backward. That said, he added, it was all the more difficult to make progress when the Moldovan parliament had moved to ban holders of foreign passports from holding office when only Romanian passport holders in Moldova were publicly known. Matache was hopeful that there might yet be some opening for improvements. Until then he was in a "wait and see" mode.

¶10. (C) More optimistically, MFA State Secretary for Europe Raduta Matache (Constantin Matache's spouse) provided Charge with a relatively upbeat assessment of FM Comanescu's July 7 visit to Chisinau, in which the Romanian FM met with President Voronin, PM Grechany, and with his counterpart Andrei Stratan. Matache stressed that Comanescu had had "a very good visit," that had been marked by a positive and pragmatic atmosphere. This was in sharp contrast, she acknowledged, with former Romanian FM Cioroianu's poorly planned December 2007 visit to Chisinau, which had put a sour capstone on a difficult year in the bilateral relationship. Matache was above all encouraged by the fact that Moldovan officials had indicated they were ready to consider reopening negotiations to establish two new Romanian consulates in the Moldovan towns of Balti and Cahul. "It wasn't a complete

BUCHAREST 00000561 003 OF 003

'yes,' Matache explained, "but they understood our arguments about the necessity of expanding our consular services." She said that the lines in front of the overstretched Romanian consulate in Chisinau were at a record high during this summer season, and both governments recognized they needed to take steps to improve the situation.

¶11. (C) Matache was also upbeat by what she hoped would be "a new type of dialogue," noting that all of the July 7 discussions were "pragmatic, very civilized." FM Comanescu, she observed, had taken a "very practical line," avoiding the temptation to "digress on identity issues" and being careful to refer to "state-to-state relations" rather than other constructs more problematic to Moldovan ears. It was agreed that FM Stratan would visit Bucharest soon. There had even been discussion of common priorities for the use of Romanian bilateral assistance in 2009; it was a suggestion of a new willingness to discuss the contours of the Romanian-Moldovan relationship in a post-Voronin era. In turn, Matache reported that the Moldovan side had put "surprisingly little emphasis" on the question of the outstanding border-related agreements, in contrast to the sometimes acrimonious exchanges of the past. Instead, she said, "we were just very thankful that it all went so smoothly," since Bucharest had come to expect the unexpected -- and untoward -- in its dealings with Chisinau.

¶12. (C) Comment: Romania is longing for Moldova to become more predictable and "flexible." It may take awhile. We have learned not to pay too much heed to the shifting rhetorical winds across this border, which blow hot and cold according to the exigencies of domestic politics in both countries. Each side has its respective policy and legal arguments, but neither party is likely to demonstrate the will to come to closure on a border agreement before upcoming elections in both countries play out in the first half of ¶2009. Basescu, in particular, seems intent on avoiding any steps that would strengthen the hand of Voronin or his Communist party in the run-up to elections next door. Nor from what we can see here in Bucharest does Voronin, who spent most of last year baiting Basescu and the Romanian government, seem greatly interested in fostering better bilateral relations, especially since Romania-bashing appeals to his base and facilitates his dialogue with Moscow and Tiraspol. Rather, the gravitational pull of Europe, including the robust employment opportunities for Moldovans in Romania and beyond, will probably do more in the long-run to anchor the Republic of Moldova westward than the problematic intergovernmental relationship. In the upcoming electoral season, we can only reasonably expect incremental progress, and, with some luck, a more cordial official dialogue between the two capitals. End comment.

TAPLIN